

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH HANKIN, JENNIFER HUDZIEC,
STEPHANIE LANE, and DENISE COOPER,
on behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

THE CITY OF SEATTLE, a municipality,

Defendant.

No. C00-1672P

DECLARATION OF TYLER WEAVER
IN SUPPORT OF PLAINTIFFS' MOTION
TO ALLOW LATE CLAIM

**NOTED FOR HEARING:
October 26, 2007 at 10:00 a.m.**

I, Tyler S. Weaver, declare:

1. I am an attorney at the law firm of Hagens Berman Sobol Shapiro LLP, one of the counsel of record for Plaintiffs in the above action. I make this declaration in support of Plaintiffs' Motion to Allow Late Claim. I am familiar with the facts set forth herein and will testify to them if necessary.

2. On August 30, 2007, Class counsel received a phone call from a Class member who indicated that he had just found out about the settlement that morning, and that he had completed, signed, and returned a claim form.

3. According to the Claimant, he left a voicemail message with Class Counsel in or about January 2007, shortly after reading the verdict in this case. He thought that he left it with

DECLARATION OF TYLER WEAVER RE
PLAINTIFFS' MOTION TO ALLOW LATE
CLAIM – 1

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1 my firm, although he was unsure about that, and also did not know whose voicemail he left the
2 message on.

3 4. Starting in January 2007, I made a practice of keeping voicemails and emails I
4 received from Class members that provided contact information, so that I could be sure to
5 include them on our list of individuals who should receive a notice. I also made a practice of
6 forwarding a copy of those voicemails and emails to the paralegal working on this case.
7 However, my office does not have any voicemail or record of this person's contact information,
8 and none of my co-counsel believe that they received such a voicemail. That said, my office and
9 co-counsel's offices received a massive amount of contact from the media and the Class
10 members both during and following the jury trial, and it is conceivable that his voicemail was
11 lost in the onslaught.

12 I make this statement under the penalty of perjury under the laws of the United States.

13 Executed this 11th day of October, 2007 at Seattle, Washington.

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16 /s/ Tyler S. Weaver

17 Tyler S. Weaver, WSBA #29413
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CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2007, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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1 Executed this 11th day of October, 2007.

2 **s/ Tyler Weaver**

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DECLARATION OF TYLER WEAVER RE
PLAINTIFFS' MOTION TO ALLOW LATE
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